

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 11-00162 WHA

Plaintiff,

v.

**ORDER REQUESTING
SENTENCING INFORMATION**

SAMSUNG SDI COMPANY, LTD.,

Defendant.

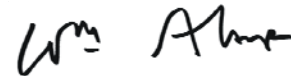
Preceding sentencing in this matter, the parties and the probation officer shall please do an analysis of the two alternative measures of fines, namely the gain to defendant and the injury to victims. The probation officer shall also please do a full analysis of potential restitution and where the civil case stands. The probation officer should interview counsel in the civil litigation on the restitution issue. This should all be included in the presentence report.

Given that part of the consideration for the proposed resolution is that Samsung SDI Company, Ltd., will cooperate in the ongoing criminal investigation, the Court requests that both sides, for sentencing, please submit information explaining the full extent of the cooperation (up to the time of sentencing), the quality and quantity of clear-cut and credible evidence Samsung has given on others, the extent to which any Samsung employees destroyed evidence, the number of times Samsung employees have testified before the grand jury or been debriefed, and whether Samsung has delivered clear-cut, credible evidence that will make the case against others. Counsel shall please report in full, *in camera* if need be, on the extent and value of Samsung's

1 cooperation between its plea and sentencing. The details of the cooperation need not be in the
2 presentence report and may be *in camera* so long as the information is provided.

3 The Clerk shall also serve this order on the probation office.

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5 Dated: May 18, 2011.



6 WILLIAM ALSUP
7 UNITED STATES DISTRICT JUDGE
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